

FILED

APR 30 2002

Terri A. Lorenzon, Director
Environmental Quality Council

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING


IN THE MATTER OF)	
CABALLO ROJO, INC.,)	
SECTION 30 OPERATING,)	
PERMIT NO. 30-100, and)	DOCKET NO. 98-2602
SECTION 21 AIR QUALITY,)	
PERMIT NO. MD-318,)	
DEQ DOCKET NO. 2962-98)	

ORDER

Caballo Rojo, Inc., having withdrawn its request for a hearing, and the Environmental Quality Council being fully advised in the premises,

IT IS HEREBY ORDERED THAT the above-stated matter should be and is hereby dismissed.

DATED this 29 day of April 2002.



 Wendy Hutchinson, Chair
 ENVIRONMENTAL QUALITY COUNCIL
 Herschler Building, Rm 1714
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APR 03 2002

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Docket No. 98-2602

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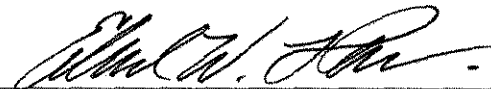
MOTION TO DISMISS

On March 24, 1998, Caballo Rojo, Inc., ("Caballo Rojo") filed a petition for review, Docket No. 2925-98, appealing opacity monitoring conditions in its Section 30 operating permit, Permit No. 30-100. On August 6, 1998, Caballo Rojo filed a second petition for review, Docket No. 2962-98, appealing similar conditions in its Section 21 permit, Permit No. MD-318. On January 4, 1999, the Environmental Quality Council consolidated the two appeals under Docket No. 98-2601.

After filing its petitions for review, Caballo Rojo continued discussions with the Wyoming Department of Environmental Quality. An agreement resolving the issues was reached fairly quickly. However, because it was necessary to amend Caballo Rojo's air quality permits, it took a significant amount of time to implement the parties' agreement.

The permits have now been amended, the settlement agreement has been implemented, and the issues raised in these appeals have been resolved. Caballo Rojo therefore moves the Environmental Quality Council to dismiss this matter.

DATED this 3rd day of April, 2002.



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ATTORNEYS FOR CABALLO ROJO, INC.